

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

<b>In Re:</b>	)	<b>18-34081</b>
	)	
<b>KRISTIN FOSTER,</b>	)	<b>Chapter 13</b>
	)	
<b>Debtor.</b>	)	<b>Hon. Judge: GOLDGAR</b>

**NOTICE OF MOTION**

*To the following persons or entities who have been served via electronic mail:*

U.S. Bankruptcy Trustee: [USTPRegion11.ES.ECF@usdoj.gov](mailto:USTPRegion11.ES.ECF@usdoj.gov)

Glenn Stearns, Chapter 13 Trustee: [stearns\\_g@lisle13.com](mailto:stearns_g@lisle13.com)

*To the following persons or entities who have been served via U.S. Mail:*

See attached list.

Please take notice that I shall appear before the following named Bankruptcy Judge, or any other Judge presiding in his or her stead at Park City Branch Court, 301 S. Greenleaf Ave., Park City, IL 60085, and in the following courtroom (or any other place posted), and present the attached **Motion to Modify Chapter 13 Plan**, at which time and place you may appear.

JUDGE:	GOLDGAR
ROOM:	B
DATE:	June 26, 2020
TIME:	9:30 AM

This motion will be presented and heard telephonically. No personal appearance in court is necessary or permitted. To appear and be heard telephonically on the motion, you must set up and use an account with Court Solutions, LLC. You can set up an account at [www.CourtSolutions.com](http://www.CourtSolutions.com) or by calling Court Solutions at (917) 746-7476.

A party who objects to this motion and wants it called must file a Notice of Objection no later than two (2) business days before the presentment date. If a Notice of Objection is timely filed, the motion will be called on the presentment date. If no Notice of Objection is timely filed, the court may grant the motion without a hearing before the date of presentment.

**PROOF OF SERVICE**

The undersigned certifies that copies of this Notice and attachments were served to the listed persons or entities, if service by mail was indicated above, by depositing same in the U.S. Mail at Wheeling, Illinois 60090, on or before June 3, 2020, at 5:30 p.m., with proper postage prepaid, unless a copy was provided electronically by the Bankruptcy Court.

DATE OF SERVICE: June 3, 2020

/s/ Robert C. Bansfield Jr.

Robert C. Bansfield Jr., A.R.D.C. #6329415

Attorney for the Debtor(s)  
DAVID M. SIEGEL & ASSOCIATES  
790 Chaddick Drive  
Wheeling, IL 60090  
(847) 520-8100

*To the following persons or entities who have been served via U.S. Mail:*

Kristin Foster  
1228 Meade Court  
Lindenhurst, IL 60046

Midland Funding LLC  
PO Box 2011  
Warren, MI 48090

Illinois Student Assistance Commission  
Isac/Attn: Bankruptcy Department  
1755 Lake Cook Road  
Deerfield, IL 60015

Bank of America, N.A.  
PO Box 982284  
El Paso, TX 79998-2238

American Express National Bank, AENB  
C/o Zwicker & Associates, P.C.  
80 Minuteman Road  
P.O. Box 9043  
Andover, MA 01810-1041

Portfolio Recovery Associates, LLC  
PO Box 41067  
Norfolk, VA 23541

Premier Bankcard, LLC  
Jefferson Capital Systems LLC Assignee  
Po Box 7999  
Saint Cloud, MN 56302-9617

TB Bank USA, N.A.  
CO Weinstein & Riley, PS  
2001 Western Avenue, Ste 400  
Seattle, WA 98121

Quicken Loans Inc.  
635 Woodward Ave.  
Detroit, MI 48226

Department Stores National Bank  
c/o Quantum3 Group LLC  
PO Box 657  
Kirkland, WA 98083-0657

CACH, LLC C/O Resurgent Capital  
Services  
PO Box 10587  
Greenville, SC 29603-0587

Carfinance Capital  
PO Box 3807  
Coppell, TX 75019

Quantum3 Group LLC as agent for  
Sadino Funding LLC  
PO Box 788  
Kirkland, WA 98083-0788

U.S. Department of Housing and Urban  
Development  
451 7th Street S.W.  
Washington, DC 20410

Illinois Department Of Revenue-Bankruptcy  
PO Box 19035  
Springfield, IL 62794-9035

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	)	
<b>Debtor.</b>	)	<b>Hon. Judge: GOLDGAR</b>

**MOTION TO MODIFY CHAPTER 13 PLAN**

NOW COMES the Debtor, **Kristin Foster**, by and through her attorneys, David M. Siegel & Assoc., LLC, to present this Motion, and in support thereof states as follows:

- 1) This Court has jurisdiction pursuant to 28 U.S.C. § 1334 and Internal Operating Procedure 15(a) of the United States District Court for the Northern District of Illinois Eastern Division.
- 2) Debtor filed a petition for relief under Chapter 13 of Title 11 USC on December 10, 2018.
- 3) The current Plan requires payments of \$300.00 per month for 3 months, \$410.00 per month for 32 months, and \$952.00 per month for the remainder of the plan, with General Unsecured Creditors receiving not less than 10% of allowed claims.
- 4) On April 20, 2019, the U.S. Department of Housing and Urban Development filed a claim stating that Debtor owes \$91,771.00 for a mortgage on 1228 Meade Court, Lindenhurst, IL 60046. There is no amount necessary to cure an arrearage on the mortgage. This is a secured, long term debt of the Debtor. See Claim 23-1.
- 5) According to the terms of the mortgage, no payment is due on the mortgage until November 1, 2046, or until certain circumstances are met. See Claim 23-1, Attachment 4.
- 6) Debtor proposes to modify the Chapter 13 Plan pursuant to 11 U.S.C. § 1329 to amend Part 3.1 of her plan to list the U.S. Department of Housing and Urban Development as a secured, long term debt paid outside her plan.

- 7) Debtor proposes to modify Part 3.1 of her Plan to read: “Name of Creditor: U.S. Department of Housing and Urban Development. Collateral: 1228 Meade Court, Lindenhurst, IL 60046. Current installment payment: \$0.00 Disbursed by Debtor. Amount of Arrearage: \$0.00. Interest Rate on arrearage: 0.00%. Monthly payment on arrearage: \$0.00. Estimated total payments by trustee: \$0.00.”
- 8) Debtor requests the above relief without any intent to defraud her creditors.

WHEREFORE, the Debtor, **Kristin Foster**, prays that this Honorable Court enter an Order to Modify the Chapter 13 Plan and for other such relief as the Court deems fair and proper.

Respectfully Submitted,

/s/ Robert C. Bansfield Jr.  
Robert C. Bansfield Jr., A.R.D.C. #6329415  
Attorney for the Debtor

David M. Siegel & Associates, LLC  
790 Chaddick Drive  
Wheeling, IL 60090  
(847) 520-8100